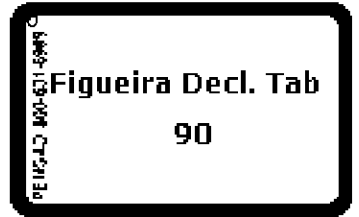


UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK



VIACOM INTERNATIONAL, INC., COMEDY )  
PARTNERS, COUNTRY MUSIC )  
TELEVISION, INC., PARAMOUNT )  
PICTURES CORPORATION, and BLACK )  
ENTERTAINMENT TELEVISION, LLC, )

Plaintiffs, )

vs. ) NO. 07-CV-2203

YOUTUBE, INC., YOUTUBE, LLC, )  
and GOOGLE, INC., )

Defendants. )

THE FOOTBALL ASSOCIATION PREMIER )  
LEAGUE LIMITED, BOURNE CO., et al., )  
on behalf of themselves and all )  
others similarly situated, )

Plaintiffs, )

vs. ) NO. 07-CV-3582

YOUTUBE, INC., YOUTUBE, LLC, and )  
GOOGLE, INC., )

Defendants. )

VIDEOTAPED DEPOSITION OF CHRIS MAXCY  
SAN FRANCISCO, CALIFORNIA  
THURSDAY, AUGUST 28, 2008

BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CLR  
CSR LICENSE NO. 9830  
JOB NO. 15485

1 MAXCY 90-0002

2 What is CMS?

3 A Content Management System.

4 Q And generally what does -- what does that do?  
5 Can you just define it on the record?

6 A Sure. That's an umbrella term for the  
7 copyright protection system that we've been discussing  
8 today, Video ID, Audio ID, Text Search, Metadata --  
9 I'm sorry -- MD5 Hash. All of those copyright  
10 protection tools.

11 Q And what are the serious operational issues  
12 that you're referring to?

13 A I'm specifically referring to data that we  
14 would need with respect to music sound recordings and  
15 music publishing, and the fact that in almost all  
16 instances we found that across the industry on the  
17 publishing side of the industry and the sound  
18 recordings out of the industry, that the rights owners  
19 have incomplete data which makes it very difficult for  
20 us to actually track and pay rights owners  
21 appropriately.

22 Q And what -- what are you encompassing or  
23 referencing when you say "incomplete data"?

24 A So, for example, a record label might know  
25 that they have -- that they may pass us information

1 MAXCY 90-0003

2 about who the artist is and the track of a particular  
3 sound recording, and they may or may not know who the  
4 various publishers are, the composers of that  
5 particular song.

6 In some cases they might know, but they  
7 wouldn't be able to tell us what percentage ownership  
8 each publisher has in that particular sound  
9 recording -- I'm sorry -- in that particular  
10 composition.

11 To the same extent, if we ask music  
12 publishers what are all the songs that your composers  
13 represent and who's the artist, they often can't tell  
14 us either with any kind of level of precision. So  
15 it's a prob- -- it's an industry-wide problem.

16 Q Are you taking any steps to address that  
17 issue?

18 A Yes.

19 Q What are they?

20 A We are working actively with music publishers  
21 and record labels to collect and rationalize their  
22 ownership data in an effort to be able to pay  
23 everybody accurately.

24 Q And how, more specifically, are you going  
25 about rationalizing it, as you put it?